

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BLAISE MAHALIK	:	CIVIL ACTION
	:	
v.	:	
	:	
LISA CANTANIA, SHANE KENNEDY, and CANTANIA ENGINEERING	:	
	:	NO. 18-2073

ORDER

NOW, this 20th day of December, 2018, upon consideration of Defendants Lisa Cantania, Shane Kennedy and Cantania Engineering's Motion to Dismiss Plaintiff's Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(6) and Alternatively Under Rule 12(e) (Document No. 6) and the plaintiff's responses, it is **ORDERED** that the motion is **GRANTED IN PART** and **DENIED IN PART**.¹

IT IS FURTHER ORDERED as follows:

1. To the extent the motion seeks to dismiss the complaint as to defendant Cantania Engineering, it is **GRANTED**;
2. The complaint is **DISMISSED** as to defendant Cantania Engineering;
3. To the extent the motion seeks to dismiss defendants Lisa Cantania and Shane Kennedy, it is **DENIED**; and,
4. The defendants Lisa Cantania and Shane Kennedy shall file their answer to the complaint no later than **January 11, 2019**.

/s/TIMOTHY J. SAVAGE

¹ The claims that survive the motion to dismiss are the Fourth Amendment claims as to the seizures of the plaintiff's residence and the plumbing permit.